

**JUDGE SWAN**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
EUROPEAN DIESEL SERVICES, LTD.,

Plaintiff,

v.

M/V BART ROBERTS, her engines, boiler, tackle,  
etc., *in rem*; and TRANSCROFT LIMITED,  
RKM YACHT DEVISION, and RKM TRADING,  
*in personam*,

Defendants.

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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 8-7-07

07 Civ. ( )

**ORDER FOR ISSUANCE  
OF PROCESS OF  
MARITIME ATTACHMENT**

NOW, upon reading the Verified Complaint for issuance of Process of Maritime Attachment and Garnishment, and the Declarations of Timothy Semenoro, Esq., and the Court finding that the conditions for an action under Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure appear to exist, it is this 7th day of August, 2007, by the United States District Court for the Southern District of New York,

**ORDERED** that the Clerk shall issue Process of Maritime Attachment and garnishment as prayed for in the Verified Complaint; and it is further

**ORDERED** that the Clerk shall issue process of attachment against all assets, accounts, freights, hire payments, monies, charter hire, credits, effects, CHIPS credits, electronic fund transfers, payments for bunkers, goods or services, bills of lading, cargo, debts and the like belonging to or claimed by Defendants TRANSCROFT LIMITED, RKM YACHT DEVISION and RKM TRADING, which are in the possession or control of American Express Bank, Ltd., Bank of America, Bank of New York, Citibank NA, Deutsche Bank, HSBC Bank USA NA, JP Morgan Chase Bank, Standard Chartered Bank, UBS AG, Wachovia Bank, Clearing House

Interbank Payment System (CHIPS), or any other garnishee within this district, to the amount sued for, US \$220,170.90, inclusive of interest and costs, it is further

**ORDERED** that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted, and it is further

**ORDERED** that a copy of this Order be attached to and served with the said Process of Maritime Attachment and Garnishment, and it is further

**ORDERED** that, pursuant to Rule 4(c)(1), the Process of Maritime Attachment and Garnishment and Verified Complaint may be served by any associate, agent or paralegal of Chalos, O'Connor & Duffy, LLP, who is not less than 18 years old, and who is not a party to this action, in addition to the United States Marshall, upon garnishee(s) listed in the Verified Complaint, together with any other garnishee(s) who, based upon information developed subsequent hereto by the Plaintiff, may hold assets for or on account of Defendant, and it is further

**ORDERED** that service on any garnishee(s) (i.e. any original garnishee or any garnishee hereafter) is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made commencing from the time of such service through the opening of the garnishee's business the next business day, and it is further

**ORDERED** that following initial service upon any garnishee by the United States Marshal or any other designated by Order to make service in this action, supplemental service of the Process of Maritime Attachment and Garnishment shall thereafter be made by way of facsimile

transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served, and it is further

**ORDERED** that supplemental process enforcing this Order may be issued by the Clerk and served without further Order of the Court.

Dated: New York, New York  
August 7, 2007

SO ORDERED:

linde m. wurd  
U.S.D.J.  
Part I